

FIRST REGULAR SESSION

# HOUSE BILL NO. 644

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BURTON.

Read 1<sup>st</sup> time February 5, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

1538L.011

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### AN ACT

To repeal section 461.051, RSMo 2000, relating to nonprobate transfers, and to enact in lieu thereof one new section relating to the same subject.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 461.051, RSMo 2000, is repealed and one new section enacted in lieu thereof, to be known as section 461.051, to read as follows:

461.051. [1. If, after an owner makes a beneficiary designation, the owner's marriage is dissolved or annulled, any provision of the beneficiary designation in favor of the owner's former spouse or a relative of the owner's former spouse is revoked on the date the marriage is dissolved or annulled, whether or not the beneficiary designation refers to marital status. The beneficiary designation shall be given effect as if the former spouse or relative of the former spouse had disclaimed the revoked provision.

2. Subsection 1 of this section does not apply to a provision of a beneficiary designation that has been made irrevocable, or revocable only with the spouse's consent, or that is made after the marriage was dissolved, or that expressly states that marriage dissolution shall not affect the designation of a spouse or relative of a spouse as beneficiary.

3. Any provision of a beneficiary designation revoked solely by this section is revived by the owner's remarriage to the former spouse or by a nullification of the marriage dissolution or annulment.

4. In this section, "a relative of the owner's former spouse" means an individual who is related to the owner's former spouse by blood, adoption or affinity and who, after the divorce or annulment, is not related to the owner by blood, adoption or affinity.] **No beneficiary**

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 designation shall be affected by a subsequent dissolution or annulment of the owner's  
18 marriage, unless the designation expressly states otherwise. A mere reference to a  
19 beneficiary's status as spouse or other relative does not constitute such an express  
20 statement. Absent express directions as to what to do in the event of dissolution or  
21 annulment, the beneficiary designation shall be given effect as if the dissolution or  
22 annulment did not occur.